

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 1, 2004 PLANNING COMMISSION MEETING

P.A.S.: Street and Alley Vacation #04010

PROPOSAL: Vacate a portion of the east/west Alley between Garfield Street and Sumner Street from the Burlington Northern Railroad Tracks east to the east edge of Lots 4 and 10, Block Woods Brothers County Club Park Addition.

LOCATION: 6th and Garfield Streets

LAND AREA: 2,987 square feet, more or less.

CONCLUSION: The vacation of this right-of-way conforms to the Comprehensive Plan provided easements are retained for public utilities.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: East/West Alley between Garfield Street and Sumner Street from the Burlington Northern Railroad Tracks east to the east edge of Lots 4 and 10, Block Woods Brothers County Club Park Addition, located in Section 35 T10N R6E, Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	Industrial	I-1 Industrial
South:	Industrial	I-1 industrial
East:	Residential	R-4 residential
West:	railroad	I-1 industrial

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as Industrial. (F 25)

UTILITIES: LES has facilities within this area. An easement for existing and future facilities should be retained.

TRAFFIC ANALYSIS: This portion of the alley is not improved. This portion dead-ends on the west at the railroad right-of-way. This portion of right-of-way is not necessary for traffic purposes.

ANALYSIS:

1. This is a request to vacate the western portion of the east/west alley between Garfield Street and Sumner Street from the Burlington Northern Railroad Tracks east to the east edge of Lots 4 and 10, Block Woods Brothers County Club Park Addition.
2. There are three property owners abutting this right-of-way, all of which have signed the petition. The Applicants have requested the City go forward with the vacation of the entire width of the right-of-way, and are willing to purchase the entire vacated area.
3. The vacation of this right-of-way will not create any lots without frontage or access to a public street.
4. A permanent easement should be retained over the entire vacated area for existing and future utilities. LES and Timer Warner Cable requests the easements to remain.
5. Public Works usually objects to creating dead end alleys. However this is an existing dead end alley and this vacation will shorten the length of the alley.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 Meet the provisions of Chapter 14.20 of the Lincoln Municipal Code.
- 1.2 Retain an easement over the entire vacated area for existing and future utilities.

Prepared by:

Derek Miller, 441-6372, dlmiller@lincoln.ne.gov

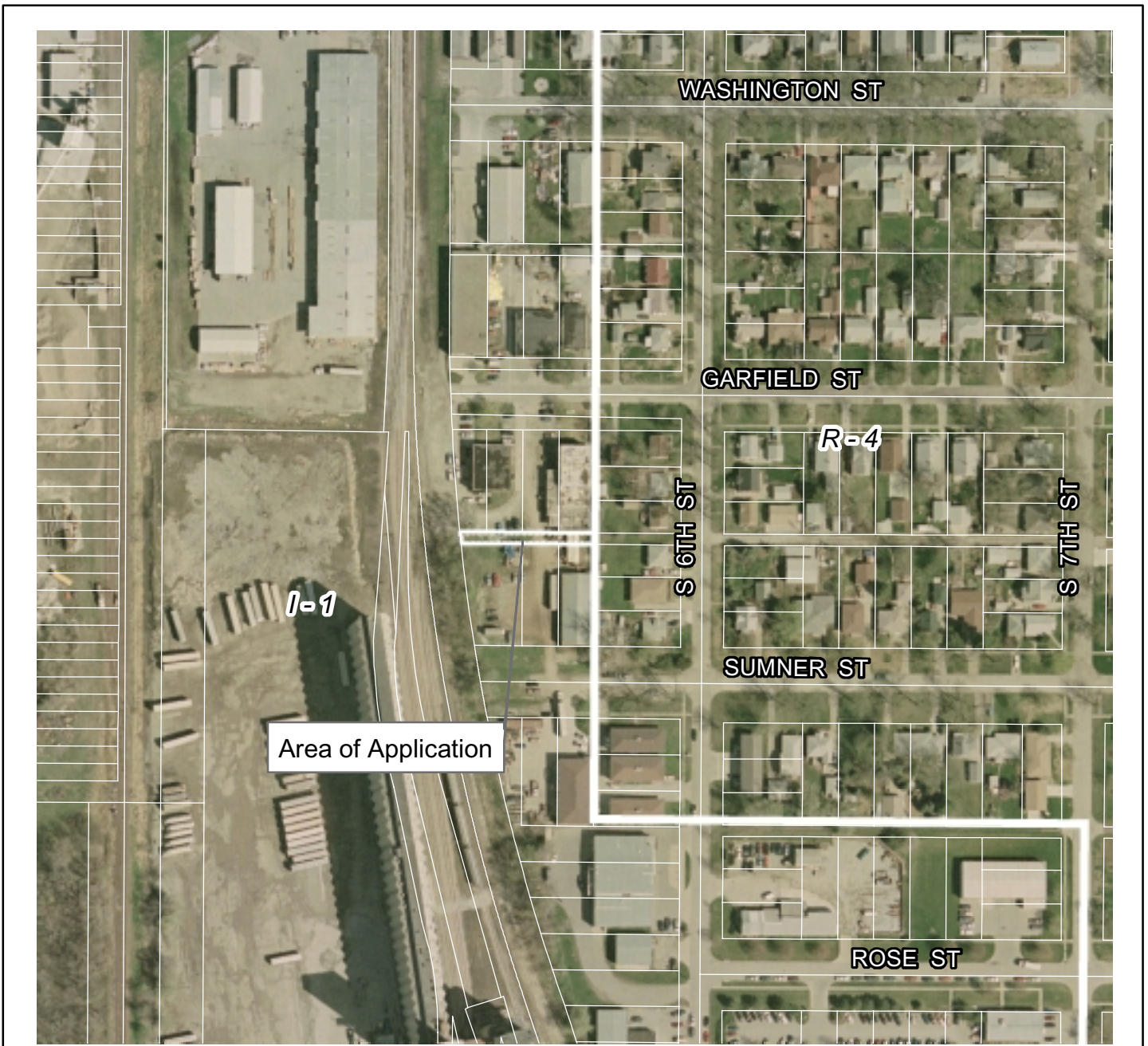
Date: August 18, 2004

**Applicants/
Owners:** The Lincoln Grain Exchange
505 Garfield Street
Lincoln, NE 68502
435-4386

JoAnn LeBaron
525 Garfield Street
Lincoln, Nebraska 68502
421-9777

Lincoln Platting Company
530 Sumner Street
Lincoln, NE 68502
475-3671

Contact: Danay Kalkowski
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508
435-6000



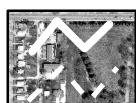
2002 aerial

Street & Alley Vacation #04010 S. 6th & Garfield Sts.

Zoning:

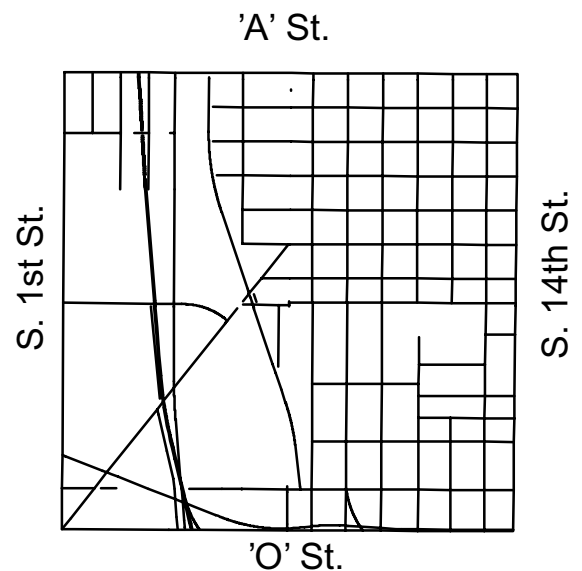
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 35 T10N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
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KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 23, 2004

HAND DELIVERY

Joan Ross, City Clerk
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Petition to Vacate East/West Alley between Garfield Street and Sumner Street
from the Railroad Tracks East to the East Edge of Lots 4 and 10, Block 6, Woods
Bros. County Club Park Addition

Dear Joan:

Enclosed please find three Petitions to Vacate that have been executed by Lincoln Plating Company, JoAnn LeBaron and The Lincoln Grain Exchange requesting the vacation of the above described alley. This alley is not paved, rocked or utilized for access. It currently dead ends at the railroad tracks. The Petitioners desire to acquire the vacated alley to utilize with their existing businesses.

If you have any questions or need any additional information, please give me a call.

Sincerely,



DANAY KALKOWSKI
For the Firm

Enclosure

cc: Gene Southworth, Lincoln Plating Company
Mark Former, The Lincoln Grain Exchange

